



**Universal Service Administrative
Company**
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2003-2004

November 19, 2003

cc: Jason Fudge
Florida Information Resource Network
325 West Gaines St., Suite 101
Tallahassee, FL 32399

Re: Florida Information Resource Network

Re: Billed Entity Number: 167435
 471 Application Number: 352390
 Funding Request Number(s): 991115
 Your Correspondence Dated: August 21, 2003

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year 2003 Funding Commitment Decision for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one Application Number, please note that for each application for which an appeal is submitted, a separate letter is sent.

Funding Request Number: 991115
Decision on Appeal: **Denied in full**
Explanation:

- In your letter of appeal, you state that Hayes E-Government Resources, Inc. understood at all times during the bidding process that price was a primary factor in Florida Information Resource Network's (FIRN) selection of a service provider and they submitted a bid that presented the most cost-effective solution for FIRN. You briefly describe FIRN's bidding and evaluation process, including mention of the scoring system that awards points for various categories. You indicate that Hayes scored the highest point total in this evaluation and that they were awarded the contract on January 16, 2003.
- You state that FCC's competitive bidding requirements permit schools maximum flexibility to take service quality into account but require that price be the primary

factor in selecting a bid. You cite the Tennessee Order wherein the FCC explained that if price is only a primary factor, the competitive bidding process can still comply with FCC rules by awarding the contract to the most cost-effective bidder. Your contention is that the FCC rules do not obligate the school to award the maximum points to the category labeled price or cost, but as made clear in the Tennessee order, price should be an important factor taken into consideration during bid selection. You argue that FIRN's competitive bidding process complied with the FCC requirements that the applicant select the most cost-effective bid with price as a primary factor. To support your claim you note that the evaluation system used by FIRN awarded the highest point value to the category titled Overall Project Concept, Design and Cost ("Cost Category"). You also note that Florida State procurement law required FIRN to select the vendor that offered the "best value" to the state, which you feel is synonymous with most cost-effective. You would like the SLD to reconsider its decision to deny funding for these requests.

- During the course of PIA review FIRN was contacted and was asked to provide documentation explaining the vendor selection process. The documentation provided by FIRN included the bid evaluation score sheets. The SLD thoroughly reviewed the documentation and determined that, based on the documentation provided, it was clear that price was not the primary factor in the vendor selection process. The Overall Project Concept, Design, and Cost was given a weighting of 35 points, which was further broken down into six separate components. Only one (category #2) of these six components related in any way to price and it was assigned a maximum value of ten points. While this category did relate to price, it only related to minimizing costs, by avoiding paying for two networks, during the initial phase of the project. Since another category was also assigned a maximum value of ten points it is clear that Category 2 of Overall Project Concept, Design, and Cost was not the primary factor in the vendor selection process. No other evaluation criteria related in anyway to price. Since the overall price of the project was not a factor on the bid scoring sheets and the only evaluation criteria relating to price was not the primary factor in the vendor selection process, the SLD determined that the vendor selection process did not comply with the rules of the Schools and Libraries Support Mechanism.
- Your claim that Hayes was aware that price was a primary factor in the vendor selection process does not demonstrate that price was the primary factor in FIRN's competitive bidding process. Additionally, the instructions given to the bidders, regarding considering price when evaluating the various criteria, does not demonstrate that price was the primary factor in the vendor selection process. Consequently, it has been determined that the decision to deny this request was correct based on the documentation provided during the course of review.
- FCC regulations require that the entity selecting a service provider "carefully consider all bids submitted and may consider relevant factors other than the pre-discount prices submitted by providers."¹ In regard to these competitive bidding

¹ 47 C.F.R. § 54.511(a).

requirements, the FCC mandated that “price should be the primary factor in selecting a bid.”² When allowed under state and local procurement rules, other relevant factors an applicant may consider include “prior experience, including past performance; personnel qualifications, including technical excellence; management capability, including schedule compliance; and environmental objectives.”³ As stated by the FCC in the Tennessee Order, other factors, such as prior experience, personnel qualifications, including technical excellence, and management capability, including schedule compliance, form a reasonable basis to evaluate whether an offering is cost-effective.⁴ Recently, the Commission reaffirmed its position that schools must select the most cost-effective service offering and in making this decision, price should be the primary factor considered. See 47 C.F.R. § 54.511(a).

- The provisions of Florida Procurement Law that you cited in your appeal do not mandate that price be the primary factor. Florida Procurement Law requires that the vendor selected by means of an Invitation to Negotiate be the vendor that provides “best value.”⁵ “Best value” is defined as “the highest overall value to the state based on objective factors that include, but are not limited to, price, quality, design and workmanship.”⁶ Consequently, price is one factor and must be part of the “best value” decision, but the statute does not mandate the role price plays in making that decision. “Best value” is not, therefore, equivalent to the FCC requirement that the bid selected be the most cost-effective, with price being the primary factor.
- The Invitation to Negotiate, evaluation criteria, and related documents that you provided as part of your appeal also did not require that the most cost effective bid with price being the primary factor be selected. In regard to the Invitation to Negotiate and the evaluation criteria, Criterion B – Overall Project Concept, Design and Cost – is the only criterion that explicitly mentions cost. This criterion is worth the most number of points. As with each of the evaluation criteria, Criterion B is subdivided into 6 separate criteria, and each of these are assigned a maximum number of points. One of these sub-criterion mentions cost in the context of migrating to a new system. This sub-criterion is worth 10 points. There is no separate line item in the evaluation criteria or sub-criteria for cost. The evaluators were instructed to focus on “whether or not [] the offeror is providing the best solution to the overall state. Also, address each question as it relates to price, i.e., an offeror may go above and beyond, scoring high technically . . . but, is the higher cost worth the extra features?”

² Federal-State Joint Board on Universal Service, CC Docket No. 96-45, *Order*, 12 FCC Rcd 8776 at ¶ 481 (1997) (“*Universal Service Order*”).

³ *Id.*

⁴ Request for review by the Department of Education of the State of Tennessee, Federal-State Joint Board on Universal Service, changes to the Board of Directors of National Exchange Carrier Association, Inc., CC Docket Nos. 96-45 and 97-21, *Order*, 14 FCC Rcd. 13,734 (1999).

⁵ Fl. Stat. § 287.057(3)(b).

⁶ Fl. Stat. § 287.012(4).

- While Criterion B is worth the most number of points, cost is only one of several factors that determine the number of points to be awarded in that criterion for each bidder. Consequently, this does not satisfy the requirement that price be the primary factor. The factors in Criterion B include project concept and overall design as they relate to cost. However, because of the manner in which the criterion is structured, a proposal that, for example, cost more than the others could receive the highest score in this category if the evaluator determined that the project concept and overall design provided the “best value” notwithstanding the higher cost. Consequently, price would not have been the primary factor in determining which bid received the most points in this category because project concept and overall design would have outweighed high cost. This is a vital concern because this is an Invitation to Negotiate pursuant to which bidders propose solutions and then the parties will negotiate the contract for specific goods and services. Consequently, as a result of the manner in which this criteria is structured, Criterion B does not satisfy the requirement that price be the primary factor because price is one of several factors evaluated as part of that criteria.
- SLD recognizes that cost appears to have been a significant factor in FIRN’s evaluation process. It was one of several factors that FIRN evaluated as part of Criterion B, and SLD acknowledges that you claim that it permeated all evaluation criteria because evaluators were instructed to address each question as it related to price. None of the legal provisions or documentation provided, however, quantifies the role that cost played to show that it was the primary factor in the decision as required by the FCC regulations governing the Schools and Libraries Support Mechanism.
- SLD’s review of FIRN’s application determined that price was not the primary factor when FIRN selected you as its service provider. You did not demonstrate in your appeal that price was the primary factor when you were selected.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be POSTMARKED within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the “Appeals Procedure” posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use either the e-mail or fax filing options.

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division

Universal Service Administrative Company

cc: Jason Fudge

Florida Information Resource Network
325 West Gaines St., Suite 101
Tallahassee, FL 32399

cc: Karen H. Martinoff

Hayes E-Government Resources, Inc.
1355 Thomaswood Dr.
Tallahassee, FL 32308



Universal Service Administrative
Company
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2003-2004

November 19, 2003

cc: Jason Fudge
Florida Information Resource Network
325 West Gaines St., Suite 101
Tallahassee, FL 32399

Re: Florida Information Resource Network

Re: Billed Entity Number: 167435
471 Application Number: 338600
Funding Request Number(s): 985813
Your Correspondence Dated: August 21, 2003

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year 2003 Funding Commitment Decision for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one Application Number, please note that for each application for which an appeal is submitted, a separate letter is sent.

Funding Request Number: 985813
Decision on Appeal: **Denied in full**
Explanation:

- In your letter of appeal, you state that Hayes E-Government Resources, Inc. understood at all times during the bidding process that price was a primary factor in Florida Information Resource Network's (FIRN) selection of a service provider and they submitted a bid that presented the most cost-effective solution for FIRN. You briefly describe FIRN's bidding and evaluation process, including mention of the scoring system that awards points for various categories. You indicate that Hayes scored the highest point total in this evaluation and that they were awarded the contract on January 16, 2003.

- You state that FCC's competitive bidding requirements permit schools maximum flexibility to take service quality into account but require that price be the primary factor in selecting a bid. You cite the Tennessee Order wherein the FCC explained that if price is only a primary factor, the competitive bidding process can still comply with FCC rules by awarding the contract to the most cost-effective bidder. Your contention is that the FCC rules do not obligate the school to award the maximum points to the category labeled price or cost, but as made clear in the Tennessee order, price should be an important factor taken into consideration during bid selection. You argue that FIRN's competitive bidding process complied with the FCC requirements that the applicant select the most cost-effective bid with price as a primary factor. To support your claim you note that the evaluation system used by FIRN awarded the highest point value to the category titled Overall Project Concept, Design and Cost ("Cost Category"). You also note that Florida State procurement law required FIRN to select the vendor that offered the "best value" to the state, which you feel is synonymous with most cost-effective. You would like the SLD to reconsider its decision to deny funding for these requests.
- During the course of PIA review FIRN was contacted and was asked to provide documentation explaining the vendor selection process. The documentation provided by FIRN included the bid evaluation score sheets. The SLD thoroughly reviewed the documentation and determined that, based on the documentation provided, it was clear that price was not the primary factor in the vendor selection process. The Overall Project Concept, Design, and Cost was given a weighting of 35 points, which was further broken down into six separate components. Only one (category #2) of these six components related in any way to price and it was assigned a maximum value of ten points. While this category did relate to price, it only related to minimizing costs, by avoiding paying for two networks, during the initial phase of the project. Since another category was also assigned a maximum value of ten points it is clear that Category 2 of Overall Project Concept, Design, and Cost was not the primary factor in the vendor selection process. No other evaluation criteria related in anyway to price. Since the overall price of the project was not a factor on the bid scoring sheets and the only evaluation criteria relating to price was not the primary factor in the vendor selection process, the SLD determined that the vendor selection process did not comply with the rules of the Schools and Libraries Support Mechanism.
- Your claim that Hayes was aware that price was a primary factor in the vendor selection process does not demonstrate that price was the primary factor in FIRN's competitive bidding process. Additionally, the instructions given to the bidders, regarding considering price when evaluating the various criteria, does not demonstrate that price was the primary factor in the vendor selection process. Consequently, it has been determined that the decision to deny this request was correct based on the documentation provided during the course of review.
- FCC regulations require that the entity selecting a service provider "carefully consider all bids submitted and may consider relevant factors other than the pre-

discount prices submitted by providers.”¹ In regard to these competitive bidding requirements, the FCC mandated that “price should be the primary factor in selecting a bid.”² When allowed under state and local procurement rules, other relevant factors an applicant may consider include “prior experience, including past performance; personnel qualifications, including technical excellence; management capability, including schedule compliance; and environmental objectives.”³ As stated by the FCC in the Tennessee Order, other factors, such as prior experience, personnel qualifications, including technical excellence, and management capability, including schedule compliance, form a reasonable basis to evaluate whether an offering is cost-effective.⁴ Recently, the Commission reaffirmed its position that schools must select the most cost-effective service offering and in making this decision, price should be the primary factor considered. See 47 C.F.R. § 54.511(a).

- The provisions of Florida Procurement Law that you cited in your appeal do not mandate that price be the primary factor. Florida Procurement Law requires that the vendor selected by means of an Invitation to Negotiate be the vendor that provides “best value.”⁵ “Best value” is defined as “the highest overall value to the state based on objective factors that include, but are not limited to, price, quality, design and workmanship.”⁶ Consequently, price is one factor and must be part of the “best value” decision, but the statute does not mandate the role price plays in making that decision. “Best value” is not, therefore, equivalent to the FCC requirement that the bid selected be the most cost-effective, with price being the primary factor.
- The Invitation to Negotiate, evaluation criteria, and related documents that you provided as part of your appeal also did not require that the most cost effective bid with price being the primary factor be selected. In regard to the Invitation to Negotiate and the evaluation criteria, Criterion B – Overall Project Concept, Design and Cost – is the only criterion that explicitly mentions cost. This criterion is worth the most number of points. As with each of the evaluation criteria, Criterion B is subdivided into 6 separate criteria, and each of these are assigned a maximum number of points. One of these sub-criterion mentions cost in the context of migrating to a new system. This sub-criterion is worth 10 points. There is no separate line item in the evaluation criteria or sub-criteria for cost. The evaluators were instructed to focus on “whether or not [] the offeror is providing the best solution to the overall state. Also, address each question as it relates to price, i.e., an offeror may go above and beyond, scoring high technically . . . but, is the higher cost worth the extra features?”

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- While Criterion B is worth the most number of points, cost is only one of several factors that determine the number of points to be awarded in that criterion for each bidder. Consequently, this does not satisfy the requirement that price be the primary factor. The factors in Criterion B include project concept and overall design as they relate to cost. However, because of the manner in which the criterion is structured, a proposal that, for example, cost more than the others could receive the highest score in this category if the evaluator determined that the project concept and overall design provided the "best value" notwithstanding the higher cost. Consequently, price would not have been the primary factor in determining which bid received the most points in this category because project concept and overall design would have outweighed high cost. This is a vital concern because this is an Invitation to Negotiate pursuant to which bidders propose solutions and then the parties will negotiate the contract for specific goods and services. Consequently, as a result of the manner in which this criteria is structured, Criterion B does not satisfy the requirement that price be the primary factor because price is one of several factors evaluated as part of that criteria.
- SLD recognizes that cost appears to have been a significant factor in FIRN's evaluation process. It was one of several factors that FIRN evaluated as part of Criterion B, and SLD acknowledges that you claim that it permeated all evaluation criteria because evaluators were instructed to address each question as it related to price. None of the legal provisions or documentation provided, however, quantifies the role that cost played to show that it was the primary factor in the decision as required by the FCC regulations governing the Schools and Libraries Support Mechanism.
- SLD's review of FIRN's application determined that price was not the primary factor when FIRN selected you as its service provider. You did not demonstrate in your appeal that price was the primary factor when you were selected.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be POSTMARKED within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use either the e-mail or fax filing options.

We thank you for your continued support, patience, and cooperation during the appeal process.

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Universal Service Administrative Company

cc: Jason Fudge
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325 West Gaines St., Suite 101
Tallahassee, FL 32399

cc: Karen H. Martinoff
Hayes E-Government Resources, Inc.
1355 Thomaswood Dr.
Tallahassee, FL 32308



**Universal Service Administrative
Company**
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2003-2004

November 19, 2003

cc: Jason Fudge
Florida Information Resource Network
325 West Gaines St., Suite 101
Tallahassee, FL 32399

Re: Florida Information Resource Network

Re: Billed Entity Number: 167435
 471 Application Number: 346659
 Funding Request Number(s): 990930
 Your Correspondence Dated: August 21, 2003

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year 2003 Funding Commitment Decision for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one Application Number, please note that for each application for which an appeal is submitted, a separate letter is sent.

Funding Request Number: 990930
Decision on Appeal: **Denied in full**
Explanation:

- In your letter of appeal, you state that Hayes E-Government Resources, Inc. understood at all times during the bidding process that price was a primary factor in Florida Information Resource Network's (FIRN) selection of a service provider and they submitted a bid that presented the most cost-effective solution for FIRN. You briefly describe FIRN's bidding and evaluation process, including mention of the scoring system that awards points for various categories. You indicate that Hayes scored the highest point total in this evaluation and that they were awarded the contract on January 16, 2003.
- You state that FCC's competitive bidding requirements permit schools maximum flexibility to take service quality into account but require that price be the primary

factor in selecting a bid. You cite the Tennessee Order wherein the FCC explained that if price is only a primary factor, the competitive bidding process can still comply with FCC rules by awarding the contract to the most cost-effective bidder. Your contention is that the FCC rules do not obligate the school to award the maximum points to the category labeled price or cost, but as made clear in the Tennessee order, price should be an important factor taken into consideration during bid selection. You argue that FIRN's competitive bidding process complied with the FCC requirements that the applicant select the most cost-effective bid with price as a primary factor. To support your claim you note that the evaluation system used by FIRN awarded the highest point value to the category titled Overall Project Concept, Design and Cost ("Cost Category"). You also note that Florida State procurement law required FIRN to select the vendor that offered the "best value" to the state, which you feel is synonymous with most cost-effective. You would like the SLD to reconsider its decision to deny funding for these requests.

- During the course of PIA review FIRN was contacted and was asked to provide documentation explaining the vendor selection process. The documentation provided by FIRN included the bid evaluation score sheets. The SLD thoroughly reviewed the documentation and determined that, based on the documentation provided, it was clear that price was not the primary factor in the vendor selection process. The Overall Project Concept, Design, and Cost was given a weighting of 35 points, which was further broken down into six separate components. Only one (category #2) of these six components related in any way to price and it was assigned a maximum value of ten points. While this category did relate to price, it only related to minimizing costs, by avoiding paying for two networks, during the initial phase of the project. Since another category was also assigned a maximum value of ten points it is clear that Category 2 of Overall Project Concept, Design, and Cost was not the primary factor in the vendor selection process. No other evaluation criteria related in anyway to price. Since the overall price of the project was not a factor on the bid scoring sheets and the only evaluation criteria relating to price was not the primary factor in the vendor selection process, the SLD determined that the vendor selection process did not comply with the rules of the Schools and Libraries Support Mechanism.
- Your claim that Hayes was aware that price was a primary factor in the vendor selection process does not demonstrate that price was the primary factor in FIRN's competitive bidding process. Additionally, the instructions given to the bidders, regarding considering price when evaluating the various criteria, does not demonstrate that price was the primary factor in the vendor selection process. Consequently, it has been determined that the decision to deny this request was correct based on the documentation provided during the course of review.
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Schools and Libraries Division

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cc: Karen H. Martinoff

Hayes E-Government Resources, Inc.
1355 Thomaswood Dr.
Tallahassee, FL 32308

FCC Form

Approval by OMB
3060-0806**470**

Schools and Libraries Universal Service Description of Services Requested and Certification Form

Estimated Average Burden Hours Per Response: 4.0 hours

This form is designed to help you describe the eligible telecommunications-related services you seek so that this data can be posted on the Fund Administrator website and interested service providers can identify you as a potential customer and compete to serve you.

Please read instructions before beginning this application.

(To be completed by entity that will negotiate with providers.)

Block 1: Applicant Address and Identifications

Form 470 Application Number: 824980000424435

Applicant's Form Identifier: IA0704

Application Status: CERTIFIED

Posting Date: 11/01/2002

Allowable Contract Date: 11/29/2002

Certification Received Date: 11/01/2002

1. Name of Applicant:

STATE OF FLORIDA DEPARTMENT OF MANAGEMENT SERVICES

2. Funding Year:

07/01/2003 - 06/30/2004

3. Your Entity Number

208004

4a. Applicant's Street Address, P.O.Box, or Route Number

4050 ESPLANADE WAY

BUILDING 4030 (SUITE 180)

City

TALLAHASSEE

State

FL

Zip Code

32399-0950

b. Telephone number

(850) 922- 7439

c. Fax number

(850) 487- 2329

d. E-mail Address

erate@myflorida.com

5. Type Of Applicant

- ☐ Individual School (individual public or non-public school)
- ☐ School District (LEA; public or non-public [e.g., diocesan] local district representing multiple schools)
- ☐ Library (including library system, library branch, or library consortium applying as a library)
- ☒ Consortium (intermediate service agencies, states, state networks, special consortia)

6a. Contact Person's Name: Charles Ghini

First, fill in **every** item of the Contact Person's information below **that is different from Item 4, above**.
Then check the box next to the preferred mode of contact. (At least one box **MUST** be checked.)

6b. Street Address, P.O.Box, or Route Number☒ 4050 ESPLANADE WAY

BUILDING 4030 (SUITE 180)		
City TALLAHASSEE	State FL	Zip Code 32399-0950
6c. Telephone Number (850) 922- 7439		
6d. Fax Number (850) 487- 2329		
6e. E-mail Address erate@myflorida.com		

Block 2: Summary Description of Needs or Services Requested

7 This Form 470 describes (check all that apply):

a. ☒ Tariffed services - telecommunications services, purchased at regulated prices, for which the applicant has no signed, written contract. A new Form 470 must be filed for tariffed services for each funding year.

b. ☒ Month-to-month services for which the applicant has no signed, written contract. A new Form 470 must be filed for these services for each funding year.

c. ☒ Services for which a new written contract is sought for the funding year in Item 2.

d. ☐ A multi-year contract signed on or before 7/10/97 but for which no Form 470 has been filed in a previous program year.

NOTE: Services that are covered by a signed, written contract executed pursuant to posting of a Form 470 in a previous program year OR a contract signed on/before 7/10/97 and reported on a Form 470 in a previous year as an existing contract do NOT require filing of a Form 470.

What kinds of service are you seeking: Telecommunications Services, Internet Access, or Internal Connections? Refer to the Eligible Services List at www.sl.universalservice.org for examples. Check the relevant category or categories (8, 9, and/or 10 below), and answer the questions in each category you select.

8 ☒ Telecommunications Services

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

a. ☒ **YES**, I have an RFP. It is available on the Web at or via (check one):
☐ the Contact Person in Item 6 or ☒ the contact listed in Item 11.

b. ☐ **NO**, I do not have an RFP for these services.

If you answered NO, you must list below the Telecommunications Services you seek. Specify each service or function (e.g., local voice service) and quantity and/or capacity(e.g., 20 existing lines plus 10 new ones). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Telecommunications Services. Remember that only eligible telecommunications providers can provide these services under the universal service support mechanism. Add additional lines if needed.

9 ☒ Internet Access

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

a. ☒ **YES**, I have an RFP. It is available on the Web at or via (check one):
☐ the Contact Person in Item 6 or ☒ the contact listed in Item 11.

b. ☐ **NO**, I do not have an RFP for these services.

If you answered NO, you must list below the Internet Access Services you seek. Specify each service or function (e.g., monthly Internet service) and quantity and/or capacity(e.g., for 500 users). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Internet Access services. Add

additional lines if needed.

10 ☐ Internal Connections

Do you have a Request for Proposal (RFP) that specifies the services you are seeking ?

a ☒ **YES**, I have an RFP. It is available on the Web at or via (check one):

☐ the Contact Person in Item 6 or ☐ the contact listed in Item 11.

b ☒ **NO**, I do not have an RFP for these services.

If you answered NO, you must list below the Internal Connections Services you seek. Specify each **service or function** (e.g., local area network) and quantity and/or capacity (e.g., connecting 10 rooms and 300 computers at 56kbps or better). See the Eligible Services List at www.sl.universalservice.org for examples of eligible Internal Connections services. Add additional lines if needed.

11 (Optional) Please name the person on your staff or project who can provide additional technical details or answer specific questions from service providers about the services you are seeking. This need not be the contact person listed in Item 6 nor the signer of this form.

Name:

Joe O'Brien

Title:

Administrator

Telephone number

(850) 922 - 7574

Fax number

() -

E-mail Address

joe.obrien@myflorida.com

12. ☒ Check here if there are any restrictions imposed by state or local laws or regulations on how or when providers may contact you or on other bidding procedures. Please describe below any such restrictions or procedures, and/or provide Web address where they are posted and a contact name and telephone number for service providers without Internet access.

All procurement must adhere to State laws, F.S. 287. All contact for information must be through e-mail. Please indicate if information is to be faxed or emailed to respondent.

13. If you intend to enter into a multi-year contract based on this posting or a contract featuring an option for voluntary extensions you may provide that information below. If you have plans to purchase additional services in future years, or expect to seek new contracts for existing services, summarize below (including the likely timeframes).

Block 3: Technology Assessment

14. ☒ Basic telephone service only: If your application is for basic local and long distance telephone service (wireline or wireless) only, check this box and skip to Item 16.

15. Although the following services and facilities are ineligible for support, they are usually necessary to make effective use of the eligible services requested in this application. Unless you indicated in Item 14 that your application is ONLY for basic telephone service, you must check at least one box in (a) through (e). You may provide details for purchases being sought.

- a. Desktop software: Software required ☒ has been purchased; and/or ☐ is being sought.
- b. Electrical systems: ☒ adequate electrical capacity is in place or has already been arranged; and/or ☐ upgrading for additional electrical capacity is being sought.
- c. Computers: a sufficient quantity of computers ☒ has been purchased; and/or ☐ is being sought.
- d. Computer hardware maintenance: adequate arrangements ☒ have been made; and/or ☐ are being sought.
- e. Staff development: ☒ all staff have had an appropriate level of training /additional training has already been scheduled; and/or ☐ training is being sought.
- f. Additional details: Use this space to provide additional details to help providers to identify the services you desire.

Block 4: Recipients of Service

16. Eligible Entities That Will Receive Services:

Check the ONE choice (a,b or c) that best describes this application and the eligible entities that will receive the services described in this application. You will then list in Item 17 the entity/entities that will pay the bills for these services.

a. ☐ Individual school or single-site library.

b. ☒ Statewide application for (enter 2-letter state code) FL representing (check all that apply):

- ☒ All public schools/districts in the state:
- ☒ All non-public schools in the state:
- ☒ All libraries in the state:

If your statewide application includes INELIGIBLE entities, check here. ☐ If checked, complete Item 18.

c. ☐ School district, library system, or consortium application to serve multiple eligible entities:

Number of eligible sites	
<i>For these eligible sites, please provide the following</i>	
Area Codes (list each unique area code)	Prefixes associated with each area code (first 3 digits of phone number) separate with commas, leave no spaces
If your application includes INELIGIBLE entities, check here. <input type="checkbox"/> If checked, complete Item 18.	

17. Billed Entities

List the entity/entities that will be paying the bills directly to the provider for the services requested in this application. These are known as Billed Entities. At least one line of this item must be completed. Attach additional sheets if necessary.

Entity	Entity Number
FLORIDA LIBRARY INFO NETWORK	127618
FLORIDA STATE DEPT OF EDUC	127619
STATE LIBRARY OF FLORIDA	127620
Florida Information Resource Network, Florida Dept. of Education	146836
State of Florida Dept. Management Services SUNCOM Network	151420
Division of Library and Information Services (State Library of Florida)	160417
Florida Department of State	160419
FLORIDA INFORMATION RESOURCE NETWORK	167435
Division of Library and Information Services (State Library of Florida)	194070
Florida Department of State	194072
STATE OF FLORIDA DEPARTMENT OF MANAGEMENT SERVICES	208004
All Eligible Libraries in State FL	
All Non-Public Schools in State FL	
All Public Schools/Districts in State FL	

18. Ineligible Participating Entities

Does your application also seek bids on services to entities that are not eligible for the Universal Service Program? If so, list those entities here (attach pages if needed):

Ineligible Participating Entity	Area Code	Prefix
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Block 5: Certification and Signature**19. The applicant includes:(Check one or both)**

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7801(18) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☒ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to elementary and secondary schools, colleges and universities).

20. All of the individual schools, libraries, and library consortia receiving services under this application are covered by:

- a. ☒ individual technology plans for using the services requested in the application, and/or
- b. ☒ higher-level technology plans for using the services requested in the application, or
- c. ☐ no technology plan needed; application requests basic local and/or long distance telephone service only.

21. Status of technology plans (if representing multiple entities with mixed technology plan status, check both a and b):

- a. ☒ technology plan(s) has/have been approved by a state or other authorized body.
- b. ☒ technology plan(s) will be approved by a state or other authorized body.
- c. ☐ no technology plan needed; application requests basic local and long distance telephone service only. .

22. ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.

23. ☒ I recognize that support under this support mechanism is conditional upon the school(s) or library(ies) I represent securing access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to use the services purchased effectively.
24. ☒ I certify that I am authorized to submit this request on behalf of the above-named entities, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.
25. Signature of authorized person: ☒
26. Date (mm/dd/yyyy): 11/01/2002
27. Printed name of authorized person: Charles Ghini
28. Title or position of authorized person: Director, Enterprise Networking
- 29a. Address of authorized person:
City: State: Zip:
- 29b. Telephone number of authorized person: (850) 922 - 7439
- 29c. Fax number of authorized person: ()
- 29d. E-mail address number of authorized person:

Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

Service provider involvement with preparation or certification of a Form 470 can taint the competitive bidding process and result in the denial of funding requests. For more information, refer to the "Service Provider Role in Assisting Customers" at www.sl.universalservice.org/vendor/manual/chapter5.doc or call the Client Service Bureau at 1-888-203-8100.

NOTICE: Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Description of Services Requested and Certification Form (FCC Form 470) with the Universal Service Administrator. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, information provided in or submitted with this form or in response to subsequent inquiries may also be subject to disclosure consistent with the Communications Act of 1934, FCC regulations, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law.

If you owe a past due debt to the federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

Please submit this form to:

SLD-Form 470
P.O. Box 7026
Lawrence, Kansas 66044-7026
1-888-203-8100

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:

SLD-Form 470
c/o Ms. Smith
3833 Greenway Drive
Lawrence, Kansas 66046
1-888-203-8100

FCC Form 470
 May 2003

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